

## Planning and Zoning Board



### *Minutes*

Held in the City of Mesa Council Chambers – Lower Level  
Date: May 21, 2014 Time: 4:00 p.m.

#### **MEMBERS PRESENT:**

Randy Carter, Chair  
Beth Coons, Vice-Chair  
Vince DiBella  
Suzanne Johnson  
Michael Clement  
Lisa Hudson

#### **STAFF PRESENT:**

John Wesley  
Tom Ellsworth  
Julia Kerran  
Kim Steadman  
Lesley Davis  
Lisa Davis  
Angelica Guevara  
Wahid Alam

#### **MEMBERS ABSENT:**

Brad Arnett

#### **OTHERS PRESENT:**

Richard Clutter  
Baird Fullerton  
Richard Tracy, Sr.  
Richard Bet  
Larry Tillman  
Roseanne Brooks  
Yolanda Munoz  
Dennis Newcombe  
Paul Gilbert  
Augie Gastclum  
David Crummey  
Ryan Winkle  
Gannon Nikolich  
Emile Nikolich

Chair Carter declared a quorum present and the meeting was called to order at 4:22 p.m., before adjournment at 5:43 p.m., action was taken on the following:

It was moved by Boardmember DiBella, seconded by Boardmember Coons that the minutes of the March 21, 2014 study session and the minutes of the April 16 & 30 2014 meetings be approved as submitted.

It was moved by Boardmember DiBella, seconded by Boardmember Coons that it be approved as submitted. Vote 6-0 (Absent Boardmember Arnett)

**Consent Agenda Items:** All items identified with an asterisk (\*) were approved with one Board motion.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson that the consent items be approved. Vote: 5-0-1 (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

**Zoning Cases:** Z14-015, Z14-024, Z14-025, Z14-026, Z14-030, Z14-033, Z14-035, Pre-Plat – Eastmark Grand Canyon University, Pre-Plat – Eastmark Parcel 7-51

## MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**Consent Agenda II Items:** All items identified with two asterisks (\*\*) were approved with one Board motion.

It was moved by Boardmember Johnson, seconded by Boardmember Hudson that the consent items be approved. Vote: 5-0 -1 (Boardmember DiBella abstains)

**Zoning Cases:** GPMinor14-007, Z14-027

## MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**\*Item:** Z14-015 The 10400 to 10500 blocks of East Elliot Road (south side). Located south of Elliot Road and west of Signal Butte Road. (85± acres). This request is for a Development Unit Plan (DUP) for Development Unit 5 East of the Eastmark Community Plan. (PLN2014-00156)

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson

**That: The Board approves of zoning case Z14-025 conditioned upon:**

1. Compliance with the basic development as described in the Development Unit Plan submitted.
2. Compliance with the approved Community Plan and the approved amendments to the Community Plan as well as all applicable City development codes and regulations (Engineering, Transportation, Solid Waste and Facilities, etc.).
3. Compliance with all Community Plan and Development Unit Plan Utility and Transportation Master Plans as approved by the City Engineer and Transportation Engineer.
4. Compliance with all requirements of the Development and Sustainability Department. The Planning Director is authorized and directed to correct grammatical, formatting, and other errors that do not affect or change the meaning of the Development Unit Plan's substantive requirements or standards.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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**\*Item Z14-024 (District 3)** 1821 South Country Club Drive. Located on the east side of Country Club Drive north of Baseline Road. (1± acres). Site Plan Review. This request will allow the redevelopment of the site for a restaurant with a drive-thru and outdoor seating. Tim Rasnake, applicant; Jo Estelle Roberts Living Trust, owner. (PLN2014-00114)

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** The Board approves of zoning case Z14-024 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted.
2. Compliance with all conditions of the Development Incentive Permit: BA14-023
3. Compliance with all conditions of Design Review approval: DR14-011.
4. Compliance with all City development codes and regulations.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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**\*Item:**       **Z14-031 (District 4)** 1542 East Dana Avenue. Located south of Main Street and east of Stapley Drive. (1± acres). District 4. This request is for a Council Use Permit for a Social Service Facility in the RM-2 zoning district. (PLN2014-00165)

**Summary:**   This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:**   The Board approves of zoning case Z14-031 conditioned upon:

**Vote: 5-0** (Absent: Boardmember Arnett and Vice Chair Coons)

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## MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**\*Item:**        **Z14-030 (District 6)** The 4400 to 5200 blocks of South Ellsworth Road (east side). Located east of Ellsworth Road and north of Ray Road. (620± acres). This request is for a Development Unit Plan (DUP) for Development Unit 3/4 of the Eastmark Community Plan. Jill Hegardt, applicant; DMB Mesa Proving Grounds LLC, owner. (PLN2014-00049)

**Summary:**    This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** The Board approves of zoning case Z14-030 conditioned upon:

1. Compliance with the basic development as described in the Development Unit Plan submitted.
2. Compliance with the approved Community Plan and the approved amendments to the Community Plan as well as all applicable City development codes and regulations (Engineering, Transportation, Solid Waste and Facilities, etc.).
3. Compliance with all Community Plan and Development Unit Plan Utility and Transportation Master Plans as approved by the City Engineer and Transportation Engineer.
4. Compliance with all requirements of the Development and Sustainability Department.  
The Planning Director is authorized and directed to correct grammatical, formatting, and other errors that do not affect or change the meaning of the Development Unit Plan's substantive requirements or standards.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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## MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**\*Item:**       **Z14-033 (District 6)** The 4700 block of South Ellsworth Road (east side). Located east of Ellsworth Road and north of Ray Road. (102.8± acres). Site Plan Review. This request will allow the development of a university campus within DU 3/4 of the Eastmark Community Plan. Jill Hegardt, applicant; DMB Mesa Proving Grounds LLC, owner. (PLN2014-00157)

**Summary:**   This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** The Board approves of zoning case Z14-033 conditioned upon:

1. Compliance with the basic development as described in the project narrative, site plan, and preliminary elevations submitted.
2. Compliance with the approved Community Plan and the approved amendments to the Community Plan as well as all applicable City development codes and regulations (Engineering, Transportation, Solid Waste and Facilities, etc.).
3. Compliance with all Utility and Transportation Master Plans as approved by the City Engineer and Transportation Engineer related to the Community Plan and Development Unit Plan 3/4.
4. Compliance with all requirements of the Development and Sustainability Department.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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## MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**\*Item:**       **Z14-026 (District 3)** 610 West Jerome Avenue. Located west of Country Club Drive and north of Baseline Road (1.78± acres). Site Plan Modification and modification of the existing BIZ overlay within an LI zoning district. This request will allow the development of a healthcare facility. Richard Clutter, EMC2 Architects, applicant; Bill Timmons, Hacienda Healthcare, owner. (PLN2014-00120)

**Summary:**   This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:**   The Board recommends approval of the zoning case of Z14-026 conditioned upon:

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted.
2. Allowed deviations from the required Development Standards are listed below:
  - a. A reduced landscape setback adjacent to Jerome Avenue, 15' from the required 20'.
  - b. A reduced number of parking spaces, 51 spaces from the required 52 spaces
  - c. Increase the distance for a landscape island required at one every eight contiguous spaces to one at the end of a double row of parking spaces with nine on one side and ten on the other in one area of the site as identified on the site plan.
3. Compliance with all requirements of the Design Review approval, DR14-010.
4. Compliance with all City development codes and regulations.
5. Compliance with parking area screening as required in Section 11-30-9.H of the City of Mesa Zoning Code.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**\*Item:**        **Z14-035 (District 1)** 1008, 1058, 1060 and 1102 West McLellan Road. Located south of the Loop 202 Freeway and east of Alma School Road (12.8± acres). Rezone from Maricopa County RU-43 to City of Mesa RS-43. This request will establish City of Mesa zoning on recently annexed property. Dennis Newcombe, Beus Gilbert PLLC, applicant. (PLN2014-00052)

**Summary**     This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** The Board recommends approval of the zoning case of Z14-035 conditioned upon:

1. Compliance with the Zoning Ordinance and all applicable City development codes and regulations.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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**Item:**       **Z14-029 (District 1).** 1008, 1058, 1060 and 1102 West McLellan Road. Located south of the Loop 202 Freeway and east of Alma School Road (12.8± acres). Rezone from RS-43 to RSL-4.5 PAD and Site Plan Review. This request will allow the development of a single-residence small-lot subdivision. Dennis Newcombe, Beus Gilbert PLLC, applicant. (PLN2014-00052)

**1. Summary:**   Staff member Lisa Davis gave a short presentation of the case.

The applicant, Paul Gilbert, stated that they have met with the neighbors twice and they are in support of the proposed project. Mr. Gilbert stated that the shape of this infill property makes it difficult to develop. Mr. Gilbert stated he agrees with Staff on all but one 'Condition of Approval', which is number 4 and reads **"Lots 13 through 18, indicated as 90' in depth shall be increased a minimum of 5' to make the lots 50' wide to accommodate for the reduced rear yard setbacks"**. Mr. Gilbert said that the stipulation will reduce the number of lots by an additional two and that the project was reduced by five lots earlier in the planning process with Staff.

Boardmember Vince DiBella verified that the larger lots would not result in larger homes. Boardmember DiBella stated that he did not disagree with Staff on this issue. However, he felt that the give and take on the developers part was significant to remove that one stipulation.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** The Board recommends approval of the zoning case of Z14-029 conditioned upon:

4. *Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape exhibits and preliminary plat submitted, (without guarantee of lot yield, building count, or lot coverage). ~~Project narrative to be revised and resubmitted to reflect the conditions listed below.~~*
2. *Minimum lot size shall be 45' x 90' for all lots.*
3. *Minimum rear yard setback shall be 20'. A patio cover may encroach into the rear yard setback up to 10' from the property line except as modified below.*
4. ~~*Lots 13 through 18, indicated as 90' in depth shall be increased a minimum of 5' to make the lots 50' wide to accommodate for the reduced rear yard setbacks.*~~
5. *Lots 13 through 18 are allowed a reduced rear yard setback of 15' for two-story and 10' for single story. Any attached open patio for houses on these lots shall maintain a setback minimum of 7' from the rear property line.*
6. *Two covered parking spaces shall be provided on each lot to meet minimum code requirements. Parking on the driveway will not be considered meeting parking space requirements.*
7. *Lots 16, 17, 21, 22, 26 and 27 indicated on the site plan are limited to single-*

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- story homes. No two-story products shall be built on these lots.
8. *There is a 96" Water Transmission Main in a 25' PUE along the north property line that is jointly owned by City of Mesa and City of Phoenix. No encroachments into this PUE will be allowed, this includes retention basins and walls. The 25' PUE must remain clear and have all-weather access per the City of Mesa Engineering Design Standards. Any landscaping proposed must comply with the City of Mesa Engineering Design Standards. Per the City of Mesa Design Standards Manual, trees cannot be located within 5' of the water main as measured from the base of the tree to the outside of the water line.*
  9. *Trash barrel pad locations shall be no more than 75' from the unit utilizing the pad, particularly dead end streets. Designate area for trash cans to be placed for pick up days for lots 3 & 4.*
  10. *A minimum of two shade structures shall be added to the open space design. One over the proposed tot lot and one adjacent to the picnic and BBQ area to provide shaded seating areas. Shade trees shall be placed in areas to create additional shade areas within the overall open space design.*
  11. *No two identical elevations are permitted on adjacent lots or on lots across from each other.*
  12. *Provide additional detailing to the elevations to increase the quality of the development. Residential product shall be reviewed and approved Administrative Product Approval by the Planning Director.*
  13. *Compliance with all City development codes and regulations.*
  14. *Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request of dedication whoever comes first.*
  15. *All street improvements, street frontage landscaping, and perimeter theme walls to be installed with the first phase of development.*
  16. *Compliance with all requirements of the Subdivision Technical Review Committee.*
  17. *Compliance with all requirements of the current City of Mesa Engineering and Design Standards Manual.*
  18. *View fences shall comply with the City of Mesa pool fence barrier regulations.*

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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**\*\*Item:**        **GPMInor14-007 (District 6).** The 4400 to 4700 blocks of South Power Road. Located on the southeast corner of Power Road and Warner Road. (57.1± acres). Rezone from AG to GC PAD and Site Plan Review. This request will allow the development of a group commercial / office center with a hotel. Michael B. Withey, Withey Morris, applicant; 1st HC, LLC, owner. (PLN2014-00118)

**Summary:**    This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** Zoning case GPMInor14-007 is continued to the August 20, 2014 meeting.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Boardmember DiBella)

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**\*\*Item:**       **Z14-027 (District 6).** The 4400 to 4700 blocks of South Power Road. Located on the southeast corner of Power Road and Warner Road. (57.1± acres). Rezone from AG to GC PAD and Site Plan Review. This request will allow the development of a group commercial / office center with a hotel. Michael B. Withey, Withey Morris, applicant; 1st HC, LLC, owner. (PLN2014-00118)

**Summary:**     This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember Johnson, seconded by Boardmember Hudson.

**That:** Zoning case Z14-027 is continued to the August 20, 2014 meeting.

**Vote: 5-0-1** (Absent: Boardmember Arnett; Abstains: Boardmember DiBella)

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**Preliminary Plat of Eastmark “Grand Canyon University Campus” (District 6)**

The 4700 block of South Ellsworth Road (east side). Located east of Ellsworth Road and north of Ray Road. (102.8± acres). Site Plan Review. This request will allow the development of a university campus within DU 3/4 of the Eastmark Community Plan. Jill Hegardt, applicant; DMB Mesa Proving Grounds LLC, owner. (PLN2014-00157)

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** The Board approves of Preliminary Plat of Higley and Brown.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**Preliminary Plat of Eastmark “Parcel 7-51” (District 6)**

The 4400 to 5200 blocks of South Ellsworth Road (east side). Located east of Ellsworth Road and north of Ray Road. (620± acres). This request is for a Development Unit Plan (DUP) for Development Unit 3/4 of the Eastmark Community Plan. Jill Hegardt, applicant; DMB Mesa Proving Grounds LLC, owner. (PLN2014-00049)

**Summary:** This case was on the consent agenda and therefore was not discussed on an individual basis.

It was moved by Boardmember DiBella, seconded by Boardmember Hudson.

**That:** The Board approves of the Preliminary Plat of Higley and Brown.

**Vote: 5-0-1** (Absent: Boardmember Arnett, Abstains: Vice Chair Coons)

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MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

**Preliminary Plat of Riverview Village (District 1)**

1008, 1058, 1060 and 1102 West McLellan Road. Located south of the Loop 202 Freeway and east of Alma School Road (12.8± acres). Rezone from RS-43 to RSL-4.5 PAD and Site Plan Review. This request will allow the development of a single-residence small-lot subdivision. Dennis Newcombe, Beus Gilbert PLLC, applicant. (PLN2014-00052)

**Summary:** Staff member Lisa Davis gave a short presentation of the case.

It was moved by Vice Chair Coons, seconded by Boardmember Johnson.

**That:** The Board approves of the Preliminary Plat of Riverview Village.

**Vote: 6-0** (Absent: Boardmember Arnett)

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## MINUTES OF THE MAY 21, 2014 PLANNING AND ZONING MEETING

### Mesa 2040 General Plan

**Summary:** Planning Director, John Wesley, gave a presentation on the Mesa 2040 General Plan. This presentation included a list of 10 modifications to the draft Plan based on comments received since the approval of the Planning Advisory Committee (PAC).

Richard Bettilyon, of 7647 East Inverness Avenue, requested to speak in regards to the Mesa 2040 General Plan. Mr. Bettilyon stated that he was concerned with the future of the Phoenix/Mesa Gateway Airport (Gateway Airport). He felt that the General Plan does not do enough to protect the Airport for the future. Mr. Bettilyon stated that there are currently three runways and sixty gates with room for expansion. Mr. Bettilyon stated that the Gateway Airport Master Plan shows the entrance to the Airport is on a side street and felt that an airport with such potential should be accessible from a major arterial. Mr. Bettilyon stated that the City of Mesa should acquire or legislate to protect all of the vacant land in and around the airport. Mr. Bettilyon stated that the City should utilize the land for the Airport's future expansion and/or to sell the land later. Mr. Bettilyon requested a directive from the Planning and Zoning Board and/or the Mesa City Council. Boardmember Coons thanked Mr. Bettilyon for his comments and insight on the Airport. Ms. Coon stated that she agreed with Mr. Bettilyon that the Gateway Airport will be a large part of our economic and development future. She stated that she was also interested in protecting that area.

David Crummey, of 1339 West 1<sup>st</sup> Street, stated that he attended the meeting to communicate how fabulous the document was. Mr. Crummey expressed his appreciation for the efforts of Staff and the various Boards who worked on the Mesa 2040 General Plan.

Ryan Winkle, of 911 West Jacinto Circle, stated that he was in attendance representing Retail, Arts, Innovation and Live (RAIL). Mr. Winkle stated that RAIL is concerned with quality jobs, housing and businesses.

Denise Heap, of 1745 West Binkley, stated that the Mesa 2040 General Plan gives us an opportunity of being proud of our City. Ms. Heap stated that there was a lack of respect for diversity and not just diversity of people. Ms. Heap said that the General Plan helps, yet does not go as far as she had hoped. Ms. Heap thanked Planning Director John Wesley for his efforts on and management of the proposed General Plan.

Vice Chair Coons requested the definition and examples of work force housing. Ms. Coons asked what form they are and their connection to adjacent neighborhoods. Planning Director, John Wesley, stated that workforce housing is for those who receive 80% or less than median income or pay more than 30% of their income on housing. Mr. Wesley stated that there are usually support services in the area. Mr. Wesley stated that the context of workforce housing within the Mesa 2040 General Plan was well thought out. Chair Carter stated that

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the Boeing area (Falcon Field) does not support those receiving less than \$20.00 per hour. Mr. Carter stated that the phrase 'workforce' is generic and should be a part of all neighborhoods. Planning Director Wesley suggested a revision to Chapter 5, Page 12 that will read; Consider ways to acquire and preserve land adjacent to the Gateway Airport for the future expansion of runways.

Richard Tracey, Sr, of 2238 South Cottonwood Street, stated that our biggest problem is air, it is extremely polluted. Mr. Tracey stated that he envisions Mesa as a real city where people speak up if something is wrong.

Boardmember Vince DiBella stated that as a member of the (PAC) he feels that we need to keep up with the promotion of the Mesa 2040 General Plan until the vote in November 2014.

Boardmember Suzanne Johnson stated that she liked the format and that she was very supportive of the proposed General Plan.

Vice Chair Coons stated that she was very proud to be a part of a Board during this process. Ms. Coons stated that she was very appreciative of the process and the document.

It was moved by Boardmember Clement, seconded by Vice Chair Coons.

**That:** The Board recommends approval of the living and breathing document known as the Mesa 2040 General Plan with the modifications presented by Staff and the additional change to address the expansion of the Gateway Airport.

**Vote: 6-0** (Absent: Boardmember Arnett)

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Respectfully submitted,

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John D. Wesley AICP, Secretary  
Planning Director

Minutes written by Julia Kerran, Planning Assistant

JK:

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